

**EAST AMWELL
ZONING BOARD OF ADJUSTMENT - MINUTES
Municipal Building – 7:30 PM
Reorganization Meeting - January 10, 2012**

Call to order and compliance with the Open Public Meetings Act

The regular meeting of the Board of Adjustment was called to order at 7:30 PM on January 10, 2012 in the Main Meeting Room of the Municipal Building, 1070 Route 202/31, Ringoes, NJ by Administrative Officer Andrews.

In compliance with the Open Public Meetings Act, the Administrative Officer announced this was a regularly scheduled meeting pursuant to the Annual Meeting Notice as published in the January 20, 2011 issue of the Hunterdon County Democrat, filed in the Township Clerk's Office, and posted on the Bulletin Board on January 4, 2012.

Roll Call and Agenda Review

Present: Sherrie Binder
Nancy Cunningham
Gloria Frederick
Gael Gardner
Paul Gavzy
Sue Posselt
Kendra Schroeder
Diana Garrett – Alt. #1
Anne Williams – Alt. #2
Attorney Waterbury
Planner Slagle

Absent: No one

Election of Officers

Administrative Officer Andrews asked for nominations for the Board's Chair. A nomination by Nancy Cunningham, seconded by Sherrie Binder to appoint Kendra Schroeder as the Board's Chair was made. Hearing no other nominations, a motion by Paul Gavzy, seconded by Nancy Cunningham to close the nominations was unanimously approved. The motion to nominate Kendra Schroeder as the Board's Chair was unanimously approved by roll call vote.

Roll Call Vote: Nancy Cunningham: Yes, Sherrie Binder: Yes, Gloria Frederick: Yes, Gael Gardner: Yes, Paul Gavzy: Yes, Sue Posselt: Yes, Kendra Schroeder: Yes

Ms. Andrews congratulated Chair Schroeder and she took over the meeting.

Chair Schroeder asked for nominations for the Board's Vice Chair. A nomination by Nancy Cunningham, seconded by Paul Gavzy to nominate Sherrie Binder as the Board's Vice Chair was made. Hearing no other nominations, a motion by Sue Posselt, seconded by Paul Gavzy to close the nominations was unanimously approved. The motion to nominate Sherrie Binder as the Board's Vice Chair was unanimously approved by roll call vote.

Roll Call Vote: Nancy Cunningham: Yes, Paul Gavzy: Yes, Sherrie Binder: Yes, Gloria Frederick: Yes, Gael Gardner: Yes, Sue Posselt: Yes, Kendra Schroeder: Yes

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Chair Schroeder asked for nominations for the Board's Secretary. A motion by Kendra Schroeder, seconded by Sue Posselt to nominate Maria Andrews as the Board's Secretary was made. Hearing no other nominations, a motion by Nancy Cunningham, seconded by Kendra Schroeder to close the nominations was unanimously approved. The motion to nominate Maria Andrews as the Board's Secretary was unanimously approved by roll call vote.

Roll Call Vote: Kendra Schroeder: Yes, Sue Posselt: Yes, Sherrie Binder: Yes, Nancy Cunningham: Yes, Gloria Frederick: Yes, Gael Gardner: Yes, Paul Gavzy: Yes

A motion by Sue Posselt, seconded by Gloria Frederick to appoint Maria Andrews as the Board's Administrative Officer was unanimously approved by roll call vote.

Roll Call Vote: Sue Posselt: Yes, Gloria Frederick: Yes, Sherrie Binder: Yes, Nancy Cunningham: Yes, Gael Gardner: Yes, Paul Gavzy: Yes, Kendra Schroeder: Yes

The following Sub-committees were formed:

On-site inspection – Sherrie Binder, Anne Williams, Nancy Cunningham and Diana Garrett as the alternate.

Policy Committee – Paul Gavzy, Kendra Schroeder, Nancy Cunningham, Gloria Frederick as alternate #1 and Sue Posselt as alternate #2.

Application Review Committee – Kendra Schroeder, Sue Posselt and Maria Andrews.

A motion by Sherrie Binder, seconded by Sue Posselt to appoint Trishka Waterbury as the Board's Attorney and approve her contract for 2012 was unanimously approved by roll call vote.

Roll Call Vote: Sherrie Binder: Yes, Sue Posselt: Yes, Nancy Cunningham: Yes, Gloria Frederick: Yes, Gael Gardner: Yes, Paul Gavzy: Yes, Kendra Schroeder: Yes

A motion by Paul Gavzy, seconded by Gloria Frederick to appoint Dennis O'Neal as the Board's Engineer and approve his contract for 2012 was unanimously approved by roll call vote with Ms. Cunningham noting that the word "chairman" on page 1, number 1 of the agreement section should be revised to "chair."

Roll Call Vote: Paul Gavzy: Yes, Gloria Frederick: Yes, Sherrie Binder: Yes, Nancy Cunningham: Yes, Gael Gardner: Yes, Sue Posselt: Yes, Kendra Schroeder: Yes.

A motion by Sherrie Binder, seconded by Nancy Cunningham to appoint Frank Banisch as the Board's Planner and approve his contract for 2012 was unanimously approved by roll call vote.

Roll Call Vote: Sherrie Binder: Yes, Nancy Cunningham: Yes, Gloria Frederick: Yes, Gael Gardner: Yes, Paul Gavzy: Yes, Sue Posselt: Yes, Kendra Schroeder: Yes

Attorney Waterbury explained there is an appeal from a determination of the Zoning Officer in the process of being filed and she stated one of the property owners is Judge Linda Feinberg who she routinely appears before and currently has pending cases before so she must recuse herself from the matter and the Board will need to appoint special counsel. Attorney Waterbury recommended the Board hire Attorney Jonathan Drill who specializes in Land Use Law and has never appeared before Judge Feinberg.

It was noted that Attorney Drill had submitted a contract to represent the Board in Attorney Waterbury's place regarding the appeal matter. A motion by Sherrie Binder, seconded by Sue Posselt to appoint Jonathan Drill as the Board's Conflict Counsel and approve his contract for 2012 was unanimously approved by roll call vote.

Roll Call Vote: Sherrie Binder: Yes, Sue Posselt: Yes, Nancy Cunningham: Yes, Gloria Frederick: Yes, Gael Gardner: Yes, Paul Gavzy: Yes, Kendra Schroeder: Yes

Adoption of Policies and Procedures

A motion by Anne Williams, seconded by Gael Gardner to adopt the policies and procedures as adopted on 1/8/02 and revised on 2/12/02 was unanimously approved by voice vote with the note that they will be reviewed for consistency regarding the secretary position prior to the Board’s next meeting.

A motion by Paul Gavzy, seconded by Sherrie Binder to adopt the Robert’s Rules of Order as also summarized by “Simplified Parliamentary Procedure” was unanimously approved by voice vote.

A motion by Gloria Frederick, seconded by Paul Gavzy to adopt the public hearing procedures pamphlet was unanimously approved by voice vote.

The Board was provided with a copy of Attorney Waterbury’s updated outline of the duties of the Board members. Attorney Waterbury noted that she will be happy to provide her annual informal training session to provide additional policy and procedure information in greater detail to any interested Board members. It was the consensus of the Board to try and schedule an informal training session on an upcoming Saturday. Ms. Andrews will email a list of available meeting dates and get something scheduled.

Confirmation of 2012 Meeting Schedule

A motion by Gloria Frederick, seconded by Nancy Cunningham to approve the Board’s 2012 meeting schedule was unanimously approved by voice vote.

Presentation of Minutes

A motion by Nancy Cunningham, seconded by Gloria Frederick to approve the Board’s minutes from 12/13/11 was approved with Sherrie Binder, Paul Gavzy and Diana Garrett abstaining.

Presentation of Bills for Payment

A motion by Sue Posselt, seconded by Gloria Frederick to approve the vouchers for payment as listed on the agenda was unanimously approved.

Applications to be Deemed Complete or Incomplete

Margaret Bajzath – AJ-12-01 – Block 32 Lot 4.03 – Building Lot Determination – Orchard Road – Sourland Mountain District

Present for the application was the applicant’s Grandson Glenn Palaschak. He explained they are seeking determination that his Grandmother’s existing undersized lot in the Sourland Mountain can be deemed a buildable lot for the purpose of selling the property. He noted it is a 2 acre wooded lot. Attorney Waterbury noted that the applicant requires a lot area variance to deem it a buildable lot under the language in the Ordinance. Planner Slagle agreed.

A motion by Sue Posselt, seconded by Gloria Frederick to deem the application complete was unanimously approved.

Applications for Public Hearing

It was noted that there were no applications listed on the agenda for public hearing.

Old Business

It was noted that there were no old business matters listed on the agenda.

New Business

Ms. Cunningham asked about the Board's annual report to the Planning Board. Ms. Andrews indicated she was working on it and noted that it will be provided at the Board's next meeting.

Attorney Comments

Attorney Waterbury thanked the Board for re-appointing her again this year.

Open to the Public

A motion by Nancy Cunningham, seconded by Sherrie Binder to open to the public was unanimously approved. Seeing no members of the public present at the meeting, a motion by Paul Gavzy, seconded by Gloria Frederick to close to the public was unanimously approved.

Board Member Comments

Ms. Cunningham commented that it is great to be back in 2012. Ms. Binder wished everyone a Happy New Year.

Adjournment

A motion by Paul Gavzy, seconded by Sherrie Binder to adjourn the meeting was unanimously approved.

The meeting adjourned at 8:10 PM.

Maria Andrews, Administrative Officer